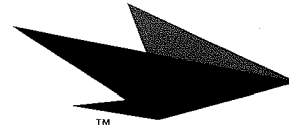


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**EMBARQ™**

Embarq  
Mailstop: KSOPKJ0401  
5454 West 110th Street  
Overland Park, KS 66211  
EMBARQ.com

August 3, 2007

By Electronic Filing

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: In the Matter of Special Access Rates for Price Cap Local Exchange Carriers  
WC-Docket No. 05-25  
Access to Confidential Material

Dear Ms. Dortch:

Pursuant to the Protective Order<sup>1</sup> adopted in the above-referenced proceeding, Embarq submits the attached copies of the Acknowledgements of Confidentiality (Appendix B to the Protective Order) signed by Craig T. Smith, Senior Counsel; and Katie Fortier, Legal Analyst II; and Kathy Mehrer, Legal Specialist; and Linda Gardner, Vice President Regulatory Affairs; and David Bartlett, Director Federal Advocacy; and Jeffrey Lanning, Director Federal External Affairs; and Gary L. Kepley, Director, Regulatory Systems; and Kent W. Dickerson, Director, Cost Support.

Under the terms of paragraph 4 of the Protective Order, Ms. Gardner, Mr. Kepley, and Mr. Dickerson, are not "Counsel" nor are they an employee, outside consultant or contractor to Counsel. Therefore, Appendix B, the Acknowledgement of Confidentiality, has been modified to the limited extent necessary to make clear their actual positions. This limited modification in no way changes and is not meant to change the obligations imposed by the Wireline Competition Bureau through its Protective Order on Embarq, Counsel, or other persons described in paragraph 4 of the Protective Order. Ms. Gardner, Mr. Kepley, and Mr. Dickerson are not involved in "competitive decision-making" as that term is used in paragraph 1 of the Protective Order.

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<sup>1</sup> *Special Access Rates for Price Cap Local Exchange Carriers*, Order, 20 FCC Rcd 10160, at Appendix A (June 8, 2005) (DA 05-1635) ("Protective Order")

**Craig T. Smith**  
SENIOR COUNSEL  
Voice: (913) 345-6691  
Fax: (913) 345-7885  
craig.t.smith@embarq.com

Embarq seeks access to confidential versions of documents previously filed or that may be filed in the future in the above-referenced proceeding by Sprint Nextel (including documents filed by its predecessors, Sprint Corporation and Nextel Communications, Inc. and T-Mobile.

As stated in the attached certificate of service, copies of this letter and the signed Acknowledgements of Confidentiality have been served on counsel for each party by overnight mail. In accordance with the terms of the Protective Order and the Commission's rules, this letter is being provided to you for inclusion in the public record of the above-referenced proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig T. Smith". The signature is fluid and cursive, with a large initial "C" and a stylized "S" at the end.

Craig T. Smith

Attachments

cc: Attached Service List

## CERTIFICATE OF SERVICE

I, Craig T. Smith, do hereby certify that on this 3rd day of August, 2007, I caused true and correct copies of the foregoing letter and attached Acknowledgements of Confidentiality to be served by overnight mail, unless otherwise indicated, to the following:

### **Sprint Nextel**

Gill M. Strobel  
Gunnar D. Halley  
Lawler, Metzger, Milkman & Keeney, LLC  
2001 K Street NW, Suite 802  
Washington, DC 20006

### **T-Mobile**

Cheryl A. Tritt  
Joan E. Neal  
William C. Beckwith  
Morrison & Foerster LLP  
2000 Pennsylvania Avenue, N.W.  
Suite 500  
Washington, D.C. 20006

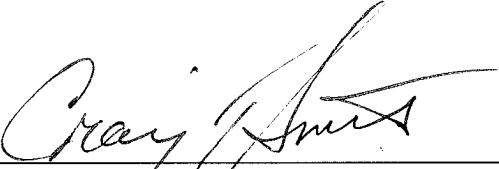
Thomas J. Sugrue, Vice President Government Affairs  
Kathleen O'Brien Ham, Managing Director Federal Regulatory Affairs  
James W. Hedlun, Senior Corporate Counsel, Federal Regulatory Affairs  
T-Mobile USA, Inc.  
401 Ninth Street, N.W.  
Suite 550  
Washington, D.C. 20004

### **FCC**

Margaret Dailey\*  
Pricing Policy Division  
Wireline Competition Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554  
Margaret.Dailey@fcc.gov

Best Copy and Printing, Inc.\*  
Portals II  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

fcc@bcpiweb.com  
Pamela Arluk\*  
Pricing Policy Division  
Wireline Competition Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554  
Pamela.Arluk@fcc.gov



---

CRAIG T. SMITH

\*via e-mail

## APPENDIX B

## Acknowledgment of Confidentiality

WC Docket No. 05-25

I hereby acknowledge that I have received and read a copy of the foregoing Protective Order in the above-referenced proceeding, and I understand it. I agree that I am bound by the Protective Order and that I shall not disclose or use Stamped Confidential Documents or Confidential Information except as allowed by the Protective Order. I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission.

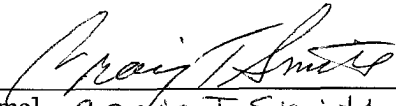
Without limiting the foregoing, to the extent that I have any employment, affiliation or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any information obtained as a result of the Protective Order is due solely to my capacity as Counsel or consultant to a party or other person described in paragraph 4 of the foregoing Protective Order and that I will not use such information in any other capacity nor will I disclose such information except as specifically provided in the Protective Order.

I hereby certify that I am not involved in "competitive decision-making" as that term is used in the definition of In-House Counsel in paragraph 1 of the Protective Order.

I acknowledge that it is my obligation to ensure that: (1) Stamped Confidential Documents and Confidential Information are used only as provided in the Protective Order; and (2) Stamped Confidential Documents are not duplicated except as specifically permitted by the terms of paragraph 9 of the Protective Order, and I certify that I have verified that there are in place procedures, at my firm or office, to prevent unauthorized disclosure of Stamped Confidential Documents or Confidential Information.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Order or Protective Order.

Executed at Overland Park, KS this 3<sup>rd</sup> day of Aug., 2007

  
[Name] Craig T Smith  
[Position] Senior Counsel  
[Address] 5454 W. 110th Street, O.P., KS. 66211  
[Telephone] 913-345-6691

## APPENDIX B

## Acknowledgment of Confidentiality

## WC Docket No. 05-25

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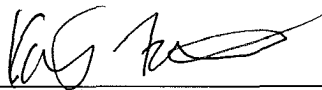
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Executed at Overland Park, KS this 3rd day of August, 2007.

  
[Name] Kate Fortier  
[Position] Legal Analyst II  
[Address] 5454 W. 110th Street Overland Park, KS 66211  
[Telephone] 913-345-6561

## APPENDIX B

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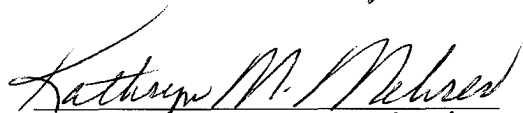
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Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Order or Protective Order.

Executed at Overland Park this 3<sup>rd</sup> day of August, 2007.



[Name] Kathryn M. Mehner

[Position] Legal Specialist

[Address] 5454 W. 110<sup>th</sup>, Overland Park, KS 66211

[Telephone] 913-345-6897

## APPENDIX B

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## WC Docket No. 05-25

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Without limiting the foregoing, to the extent that I have any employment, affiliation or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any information obtained as a result of the order is due solely to my capacity as Vice President, Regulatory Affairs, in which capacity I am responsible for the development of regulatory strategies generally and in this proceeding, in particular, along with In-House Counsel for Embarq. I will not use such confidential information in any other capacity nor will I disclose such information except as specifically provided in the protective order.

I hereby certify that I am not involved in "competitive decision-making" as that term is used in the definition of In-House Counsel in paragraph 1 of the Protective Order.

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Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order.

Executed at Overland Park KS this 3rd day of August, 2007.



Linda K. Gardner  
Vice President, Regulatory Affairs  
5454 W. 110<sup>th</sup> Street, Overland Park, KS 66211  
913-345-6193



## APPENDIX B

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WC Docket No. 05-25

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Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Order or Protective Order.

Executed at Washington DC this 3rd day of August, 2007.



\_\_\_\_\_  
Name: David Bartlett  
Director, Federal Advocacy  
701 Pennsylvania, Washington, DC 20004  
202-393-7114

**APPENDIX B****Acknowledgment of Confidentiality****WC Docket No. 05-25**

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Executed at Washington D.C. this 3rd day of August, 2007.



\_\_\_\_\_  
Name: Jeffrey Lanning  
Director, Federal External Affairs  
701 Pennsylvania, Washington, DC 20004  
202-393-7113

## APPENDIX B

## Acknowledgement of Confidentiality

WC Docket No. 05-25

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Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order.

Executed at OVERLAND PARK this 3 day of AUGUST, 2007.



Gary L. Kepley  
Director, Regulatory Systems  
5454 W. 110<sup>th</sup> Street, Overland Park, KS 66211  
913-345-7572

**APPENDIX B****Acknowledgement of Confidentiality****WC Docket No. 05-25**

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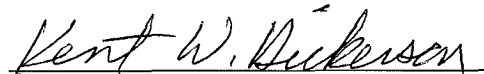
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Executed at Overland Park, KS. this 3 day of August, 2007.



Kent W. Dickerson  
Director, Cost Support  
5454 W. 110<sup>th</sup> Street, Overland Park, KS 66211  
913-345-7792